

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                           |   |                       |
|---------------------------|---|-----------------------|
| COUNTY OF FULTON, et al., | : | Civ. No. 22-CV-1639   |
|                           | : |                       |
| Plaintiffs,               | : |                       |
|                           | : |                       |
| v.                        | : |                       |
|                           | : |                       |
| DOMINION VOTING SYSTEMS,  | : |                       |
| INC., et al.,             | : |                       |
|                           | : |                       |
| Defendants.               | : | Judge Sylvia H. Rambo |

**ORDER**

**AND NOW**, this 28th day of September, 2023, in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** that Defendants' motion to dismiss for lack of subject matter jurisdiction and failure to state a claim (Doc. 4) is **GRANTED** as follows:

- (1) Counts 1 and II are **DISMISSED** with prejudice to the extent they allege that Defendants breached the parties' contract and warranties contained therein and/or caused Plaintiffs damages by providing Fulton County with a voting system that left it unable to comply with state and federal election requirements;
- (2) Counts 1 and II are otherwise **DISMISSED** without prejudice to Plaintiffs' right to file an amended complaint within 21 days of the date of this order.

/s/ Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge